

SENATE FILE \_\_\_\_\_  
BY (PROPOSED SENATE  
APPROPRIATIONS SUBCOMMITTEE  
ON JUSTICE SYSTEM BILL)

**A BILL FOR**

1 An Act relating to and making appropriations to the justice  
2 system.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DRAFT

1 Section 1. DEPARTMENT OF JUSTICE.

2       1. There is appropriated from the general fund of the state  
3 to the department of justice for the fiscal year beginning July  
4 1, 2011, and ending June 30, 2012, the following amounts, or  
5 so much thereof as is necessary, to be used for the purposes  
6 designated:

7 a. For the general office of attorney general for salaries,  
8 support, maintenance, and miscellaneous purposes, including  
9 the prosecuting attorneys training program, matching funds for  
10 federal violence against women grant program, victim assistance  
11 grants, office of drug control policy prosecuting attorney  
12 program, and odometer fraud enforcement, and for not more than  
13 the following full-time equivalent positions:

14 ..... \$ 7,942,930

15	.....	FTEs	212.00
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16 It is the intent of the general assembly that as a condition  
17 of receiving the appropriation provided in this lettered  
18 paragraph, the department of justice shall maintain a record  
19 of the estimated time incurred representing each agency or  
20 department.

21 b. For victim assistance grants:

22 ..... \$ 2,999,865

23 The funds appropriated in this lettered paragraph shall be  
24 used to provide grants to care providers providing services to  
25 crime victims of domestic abuse or to crime victims of rape and  
26 sexual assault.

27 The balance of the victim compensation fund established in  
28 section 915.94 may be used to provide salary and support of not  
29 more than 24 FTEs and to provide maintenance for the victim  
30 compensation functions of the department of justice.

31 The department of justice may transfer moneys from the  
32 victim compensation fund established in section 915.94 to the  
33 victim assistance grant program.

34 c. For legal services for persons in poverty grants as  
35 provided in section 13.34:

1 ..... \$ 1,814,831  
 2 2. a. The department of justice, in submitting budget  
 3 estimates for the fiscal year commencing July 1, 2012, pursuant  
 4 to section 8.23, shall include a report of funding from sources  
 5 other than amounts appropriated directly from the general fund  
 6 of the state to the department of justice or to the office of  
 7 consumer advocate. These funding sources shall include but  
 8 are not limited to reimbursements from other state agencies,  
 9 commissions, boards, or similar entities, and reimbursements  
 10 from special funds or internal accounts within the department  
 11 of justice. The department of justice shall also report actual  
 12 reimbursements for the fiscal year commencing July 1, 2010,  
 13 and actual and expected reimbursements for the fiscal year  
 14 commencing July 1, 2011.

15 b. The department of justice shall include the report  
 16 required under paragraph "a", as well as information regarding  
 17 any revisions occurring as a result of reimbursements actually  
 18 received or expected at a later date, in a report to the  
 19 co-chairpersons and ranking members of the joint appropriations  
 20 subcommittee on the justice system and the legislative services  
 21 agency. The department of justice shall submit the report on  
 22 or before January 15, 2012.

23 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is appropriated  
 24 from the department of commerce revolving fund created in  
 25 section 546.12 to the office of consumer advocate of the  
 26 department of justice for the fiscal year beginning July 1,  
 27 2011, and ending June 30, 2012, the following amount, or so  
 28 much thereof as is necessary, to be used for the purposes  
 29 designated:

30 For salaries, support, maintenance, miscellaneous purposes,  
 31 and for not more than the following full-time equivalent  
 32 positions:

33 .....	\$	3,336,344
34 .....	FTEs	22.00

35 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

1     1. There is appropriated from the general fund of the  
2 state to the department of corrections for the fiscal year  
3 beginning July 1, 2011, and ending June 30, 2012, the following  
4 amounts, or so much thereof as is necessary, to be used for the  
5 operation of adult correctional institutions, reimbursement  
6 of counties for certain confinement costs, and federal prison  
7 reimbursement, to be allocated as follows:  
8     a. For the operation of the Fort Madison correctional  
9 facility, including salaries, support, maintenance, and  
10 miscellaneous purposes:  
11 ..... \$ 41,345,606  
12     b. For the operation of the Anamosa correctional facility,  
13 including salaries, support, maintenance, and miscellaneous  
14 purposes:  
15 ..... \$ 31,985,974  
16     c. For the operation of the Oakdale correctional facility,  
17 including salaries, support, maintenance, and miscellaneous  
18 purposes:  
19 ..... \$ 55,600,610  
20     d. For the operation of the Newton correctional facility,  
21 including salaries, support, maintenance, and miscellaneous  
22 purposes:  
23 ..... \$ 25,958,757  
24     e. For the operation of the Mt. Pleasant correctional  
25 facility, including salaries, support, maintenance, and  
26 miscellaneous purposes:  
27 ..... \$ 25,917,815  
28     f. For the operation of the Rockwell City correctional  
29 facility, including salaries, support, maintenance, and  
30 miscellaneous purposes:  
31 ..... \$ 9,316,466  
32     g. For the operation of the Clarinda correctional facility,  
33 including salaries, support, maintenance, and miscellaneous  
34 purposes:  
35 ..... \$ 24,482,356

1 Moneys received by the department of corrections as  
2 reimbursement for services provided to the Clarinda youth  
3 corporation are appropriated to the department and shall be  
4 used for the purpose of operating the Clarinda correctional  
5 facility.

6 h. For the operation of the Mitchellville correctional  
7 facility, including salaries, support, maintenance, and  
8 miscellaneous purposes:

9 ..... \$ 15,615,374

10 i. For the operation of the Fort Dodge correctional  
11 facility, including salaries, support, maintenance, and  
12 miscellaneous purposes:

13 ..... \$ 29,062,235

14 j. For reimbursement of counties for temporary confinement  
15 of work release and parole violators, as provided in sections  
16 901.7, 904.908, and 906.17, and for offenders confined pursuant  
17 to section 904.513:

18 ..... \$ 775,092

19 k. For federal prison reimbursement, reimbursements for  
20 out-of-state placements, and miscellaneous contracts:

21 ..... \$ 239,411

22 2. The department of corrections shall use moneys  
23 appropriated in subsection 1 to continue to contract for the  
24 services of a Muslim imam and Native American spiritual leader.

25 Sec. 4. DEPARTMENT OF CORRECTIONS — ADMINISTRATION.

26 1. There is appropriated from the general fund of the state  
27 to the department of corrections for the fiscal year beginning  
28 July 1, 2011, and ending June 30, 2012, the following amounts,  
29 or so much thereof as is necessary, to be used for the purposes  
30 designated:

31 a. For general administration, including salaries, support,  
32 maintenance, employment of an education director to administer  
33 a centralized education program for the correctional system,  
34 and miscellaneous purposes:

35 ..... \$ 4,835,542

1       (1) It is the intent of the general assembly that as a  
2 condition of receiving the appropriation provided in this  
3 lettered paragraph the department of corrections shall not,  
4 except as otherwise provided in subparagraph (3), enter  
5 into a new contract, unless the contract is a renewal of an  
6 existing contract, for the expenditure of moneys in excess of  
7 \$100,000 during the fiscal year beginning July 1, 2011, for the  
8 privatization of services performed by the department using  
9 state employees as of July 1, 2011, or for the privatization  
10 of new services by the department without prior consultation  
11 with any applicable state employee organization affected  
12 by the proposed new contract and prior notification of the  
13 co-chairpersons and ranking members of the joint appropriations  
14 subcommittee on the justice system.

15       (2) It is the intent of the general assembly that each  
16 lease negotiated by the department of corrections with a  
17 private corporation for the purpose of providing private  
18 industry employment of inmates in a correctional institution  
19 shall prohibit the private corporation from utilizing inmate  
20 labor for partisan political purposes for any person seeking  
21 election to public office in this state and that a violation  
22 of this requirement shall result in a termination of the lease  
23 agreement.

24       (3) It is the intent of the general assembly that as a  
25 condition of receiving the appropriation provided in this  
26 lettered paragraph the department of corrections shall not  
27 enter into a lease or contractual agreement pursuant to section  
28 904.809 with a private corporation for the use of building  
29 space for the purpose of providing inmate employment without  
30 providing that the terms of the lease or contract establish  
31 safeguards to restrict, to the greatest extent feasible, access  
32 by inmates working for the private corporation to personal  
33 identifying information of citizens.

34       b. For educational programs for inmates at state penal  
35 institutions:

1 ..... \$ 2,383,109

2 (1) As a condition of receiving the appropriation in  
3 this lettered paragraph, the department of corrections  
4 shall transfer at least \$300,000 from the canteen operating  
5 funds established pursuant to section 904.310 to be used for  
6 correctional educational programs funded in this lettered  
7 paragraph.

8 (2) It is the intent of the general assembly that moneys  
9 appropriated in this lettered paragraph shall be used solely  
10 for the purpose indicated and that the moneys shall not be  
11 transferred for any other purpose. In addition, it is the  
12 intent of the general assembly that the department shall  
13 consult with the community colleges in the areas in which the  
14 institutions are located to utilize moneys appropriated in this  
15 lettered paragraph to fund the high school completion, high  
16 school equivalency diploma, adult literacy, and adult basic  
17 education programs in a manner so as to maintain these programs  
18 at the institutions.

19 (3) To maximize the funding for educational programs,  
20 the department shall establish guidelines and procedures to  
21 prioritize the availability of educational and vocational  
22 training for inmates based upon the goal of facilitating an  
23 inmate's successful release from the correctional institution.

24 (4) The director of the department of corrections may  
25 transfer moneys from Iowa prison industries for use in  
26 educational programs for inmates.

27 (5) Notwithstanding section 8.33, moneys appropriated in  
28 this lettered paragraph that remain unobligated or unexpended  
29 at the close of the fiscal year shall not revert but shall  
30 remain available for expenditure only for the purpose  
31 designated in this lettered paragraph until the close of the  
32 succeeding fiscal year.

33 c. For the development of the Iowa corrections offender  
34 network (ICON) data system:

35 ..... \$ 424,364

1     d. For offender mental health and substance abuse  
2 treatment:

3 ..... \$       22,319

4     e. For viral hepatitis prevention and treatment:

5 ..... \$       167,881

6     2. It is the intent of the general assembly that the  
7 department of corrections shall continue to operate the  
8 correctional farms under the control of the department at  
9 the same or greater level of participation and involvement  
10 as existed as of January 1, 2011; shall not enter into any  
11 rental agreement or contract concerning any farmland under  
12 the control of the department that is not subject to a rental  
13 agreement or contract as of January 1, 2011, without prior  
14 legislative approval; and shall further attempt to provide  
15 job opportunities at the farms for inmates. The department  
16 shall attempt to provide job opportunities at the farms for  
17 inmates by encouraging labor-intensive farming or gardening  
18 where appropriate; using inmates to grow produce and meat for  
19 institutional consumption; researching the possibility of  
20 instituting food canning and cook-and-chill operations; and  
21 exploring opportunities for organic farming and gardening,  
22 livestock ventures, horticulture, and specialized crops.

23     Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL  
24 SERVICES.

25     1. There is appropriated from the general fund of the state  
26 to the department of corrections for the fiscal year beginning  
27 July 1, 2011, and ending June 30, 2012, for salaries, support,  
28 maintenance, and miscellaneous purposes, the following amounts,  
29 or so much thereof as is necessary, to be allocated as follows:

30     a. For the first judicial district department of  
31 correctional services:

32 ..... \$ 13,890,258

33     b. For the second judicial district department of  
34 correctional services:

35 ..... \$ 10,336,948

1 c. For the third judicial district department of  
2 correctional services:  
3 ..... \$ 5,599,765  
4 d. For the fourth judicial district department of  
5 correctional services:  
6 ..... \$ 5,391,355  
7 e. For the fifth judicial district department of  
8 correctional services, including funding for electronic  
9 monitoring devices for use on a statewide basis:  
10 ..... \$ 18,742,129  
11 f. For the sixth judicial district department of  
12 correctional services:  
13 ..... \$ 13,112,563  
14 g. For the seventh judicial district department of  
15 correctional services:  
16 ..... \$ 7,259,155  
17 h. For the eighth judicial district department of  
18 correctional services:  
19 ..... \$ 6,879,715  
20 2. Each judicial district department of correctional  
21 services, within the funding available, shall continue programs  
22 and plans established within that district to provide for  
23 intensive supervision, sex offender treatment, diversion of  
24 low-risk offenders to the least restrictive sanction available,  
25 job development, and expanded use of intermediate criminal  
26 sanctions.  
27 3. Each judicial district department of correctional  
28 services shall provide alternatives to prison consistent with  
29 chapter 901B. The alternatives to prison shall ensure public  
30 safety while providing maximum rehabilitation to the offender.  
31 A judicial district department of correctional services may  
32 also establish a day program.  
33 4. The governor's office of drug control policy shall  
34 consider federal grants made to the department of corrections  
35 for the benefit of each of the eight judicial district

1 departments of correctional services as local government  
2 grants, as defined pursuant to federal regulations.

3 5. The department of corrections shall continue to contract  
4 with a judicial district department of correctional services to  
5 provide for the rental of electronic monitoring equipment which  
6 shall be available statewide.

7 Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION OF  
8 APPROPRIATIONS. Notwithstanding section 8.39, within  
9 the moneys appropriated in this Act to the department of  
10 corrections, the department may reallocate the moneys  
11 appropriated and allocated as necessary to best fulfill the  
12 needs of the correctional institutions, administration of  
13 the department, and the judicial district departments of  
14 correctional services. However, in addition to complying with  
15 the requirements of sections 904.116 and 905.8 and providing  
16 notice to the legislative services agency, the department  
17 of corrections shall also provide notice to the department  
18 of management, prior to the effective date of the revision  
19 or reallocation of an appropriation made pursuant to this  
20 section. The department of corrections shall not reallocate an  
21 appropriation or allocation for the purpose of eliminating any  
22 program.

23 Sec. 7. INTENT — REPORTS.

24 1. The department of corrections in cooperation with  
25 townships, the Iowa cemetery associations, and other nonprofit  
26 or governmental entities may use inmate labor during the  
27 fiscal year beginning July 1, 2011, to restore or preserve  
28 rural cemeteries and historical landmarks. The department in  
29 cooperation with the counties may also use inmate labor to  
30 clean up roads, major water sources, and other water sources  
31 around the state.

32 2. On a quarterly basis the department shall provide a  
33 status report regarding private-sector employment to the  
34 legislative services agency beginning on July 1, 2011. The  
35 report shall include the number of offenders employed in the

1 private sector, the combined number of hours worked by the  
2 offenders, the total amount of allowances, and the distribution  
3 of allowances pursuant to section 904.702, including any moneys  
4 deposited in the general fund of the state.

5     Sec. 8. ELECTRONIC MONITORING REPORT. The department of  
6 corrections shall submit a report on electronic monitoring to  
7 the general assembly, to the co-chairpersons and the ranking  
8 members of the joint appropriations subcommittee on the justice  
9 system, and to the legislative services agency by January  
10 15, 2012. The report shall specifically address the number  
11 of persons being electronically monitored and break down the  
12 number of persons being electronically monitored by offense  
13 committed. The report shall also include a comparison of any  
14 data from the prior fiscal year with the current year.

15     Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

16     1. As used in this section, unless the context otherwise  
17 requires, "state agency" means the government of the state  
18 of Iowa, including but not limited to all executive branch  
19 departments, agencies, boards, bureaus, and commissions, the  
20 judicial branch, the general assembly and all legislative  
21 agencies, institutions within the purview of the state board of  
22 regents, and any corporation whose primary function is to act  
23 as an instrumentality of the state.

24     2. State agencies are hereby encouraged to purchase  
25 products from Iowa state industries, as defined in section  
26 904.802, when purchases are required and the products are  
27 available from Iowa state industries. State agencies shall  
28 obtain bids from Iowa state industries for purchases of  
29 office furniture during the fiscal year beginning July 1,  
30 2011, exceeding \$5,000 or in accordance with applicable  
31 administrative rules related to purchases for the agency.

32     Sec. 10. STATE PUBLIC DEFENDER. There is appropriated from  
33 the general fund of the state to the office of the state public  
34 defender of the department of inspections and appeals for the  
35 fiscal year beginning July 1, 2011, and ending June 30, 2012,

1 the following amounts, or so much thereof as is necessary, to  
2 be allocated as follows for the purposes designated:

3 1. For salaries, support, maintenance, miscellaneous  
4 purposes, and for not more than the following full-time  
5 equivalent positions:

6 ..... \$ 24,083,182

7 ..... FTEs 219.00

8 2. For the fees of court-appointed attorneys for indigent  
9 adults and juveniles, in accordance with section 232.141 and  
10 chapter 815:

11 ..... \$ 26,680,929

12 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 1. There is appropriated from the general fund of the  
14 state to the Iowa law enforcement academy for the fiscal year  
15 beginning July 1, 2011, and ending June 30, 2012, the following  
16 amount, or so much thereof as is necessary, to be used for the  
17 purposes designated:

18 For salaries, support, maintenance, miscellaneous purposes,  
19 including jailer training and technical assistance, and for not  
20 more than the following full-time equivalent positions:

21 ..... \$ 868,698

22 ..... FTEs 24.55

23 It is the intent of the general assembly that the Iowa law  
24 enforcement academy may provide training of state and local  
25 law enforcement personnel concerning the recognition of and  
26 response to persons with Alzheimer's disease.

27 The Iowa law enforcement academy may temporarily exceed and  
28 draw more than the amount appropriated in this subsection and  
29 incur a negative cash balance as long as there are receivables  
30 equal to or greater than the negative balance and the amount  
31 appropriated in this subsection is not exceeded at the close  
32 of the fiscal year.

33 2. The Iowa law enforcement academy may select at least  
34 five automobiles of the department of public safety, division  
35 of state patrol, prior to turning over the automobiles to

1 the department of administrative services to be disposed  
 2 of by public auction, and the Iowa law enforcement academy  
 3 may exchange any automobile owned by the academy for each  
 4 automobile selected if the selected automobile is used in  
 5 training law enforcement officers at the academy. However, any  
 6 automobile exchanged by the academy shall be substituted for  
 7 the selected vehicle of the department of public safety and  
 8 sold by public auction with the receipts being deposited in the  
 9 depreciation fund to the credit of the department of public  
 10 safety, division of state patrol.

11 Sec. 12. BOARD OF PAROLE. There is appropriated from the  
 12 general fund of the state to the board of parole for the fiscal  
 13 year beginning July 1, 2011, and ending June 30, 2012, the  
 14 following amount, or so much thereof as is necessary, to be  
 15 used for the purposes designated:

16 For salaries, support, maintenance, miscellaneous purposes,  
 17 and for not more than the following full-time equivalent  
 18 positions:  
 19 ..... \$ 1,053,835  
 20 ..... FTEs 12.50

21 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
 22 appropriated from the general fund of the state to the  
 23 department of public defense for the fiscal year beginning July  
 24 1, 2011, and ending June 30, 2012, the following amounts, or  
 25 so much thereof as is necessary, to be used for the purposes  
 26 designated:

27 1. MILITARY DIVISION

28 For salaries, support, maintenance, miscellaneous purposes,  
 29 and for not more than the following full-time equivalent  
 30 positions:

31 ..... \$ 5,527,042  
 32 ..... FTEs 313.00

33 The military division may temporarily exceed and draw more  
 34 than the amount appropriated in this subsection and incur a  
 35 negative cash balance as long as there are receivables of

1 federal funds equal to or greater than the negative balance and  
2 the amount appropriated in this subsection is not exceeded at  
3 the close of the fiscal year.

4 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

5 For salaries, support, maintenance, miscellaneous purposes,  
6 and for not more than the following full-time equivalent  
7 positions:

8 .....	\$	1,836,877
9 .....	FTEs	40.00

10 a. The homeland security and emergency management  
11 division may temporarily exceed and draw more than the amount  
12 appropriated in this subsection and incur a negative cash  
13 balance as long as there are receivables of federal funds  
14 equal to or greater than the negative balance and the amount  
15 appropriated in this subsection is not exceeded at the close  
16 of the fiscal year.

17 b. It is the intent of the general assembly that the  
18 homeland security and emergency management division work in  
19 conjunction with the department of public safety, to the extent  
20 possible, when gathering and analyzing information related  
21 to potential domestic or foreign security threats, and when  
22 monitoring such threats.

23 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is appropriated  
24 from the general fund of the state to the department of public  
25 safety for the fiscal year beginning July 1, 2011, and ending  
26 June 30, 2012, the following amounts, or so much thereof as is  
27 necessary, to be used for the purposes designated:

28 1. For the department's administrative functions, including  
29 the criminal justice information system, and for not more than  
30 the following full-time equivalent positions:

31 .....	\$	4,007,075
32 .....	FTEs	36.00

33 2. For the division of criminal investigation, including  
34 the state's contribution to the peace officers' retirement,  
35 accident, and disability system provided in chapter 97A in the

1 amount of the state's normal contribution rate, as defined in  
 2 section 97A.8, multiplied by the salaries for which the funds  
 3 are appropriated, to meet federal fund matching requirements,  
 4 and for not more than the following full-time equivalent  
 5 positions:

6 ..... \$ 12,533,931  
 7 ..... FTEs 159.10

8 The department shall employ one additional special agent and  
 9 one additional criminalist for the purpose of investigating  
 10 cold cases. Prior to employing the additional special agent  
 11 and criminalist authorized in this paragraph, the department  
 12 shall provide a written statement to prospective employees that  
 13 states to the effect that the positions are being funded by a  
 14 temporary federal grant and there are no assurances that funds  
 15 from other sources will be available after the federal funding  
 16 expires. If the federal funding for the additional positions  
 17 expires during the fiscal year, the number of full-time  
 18 equivalent positions authorized in this subsection is reduced  
 19 by 2.00 FTEs.

20 3. For the criminalistics laboratory fund created in  
 21 section 691.9:

22 ..... \$ 302,345

23 4. a. For the division of narcotics enforcement, including  
 24 the state's contribution to the peace officers' retirement,  
 25 accident, and disability system provided in chapter 97A in the  
 26 amount of the state's normal contribution rate, as defined in  
 27 section 97A.8, multiplied by the salaries for which the funds  
 28 are appropriated, to meet federal fund matching requirements,  
 29 and for not more than the following full-time equivalent  
 30 positions:

31 ..... \$ 6,429,884  
 32 ..... FTEs 74.00

33 b. For the division of narcotics enforcement for undercover  
 34 purchases:

35 ..... \$ 109,042

1     5. For the division of state fire marshal, for fire  
 2 protection services as provided through the state fire service  
 3 and emergency response council as created in the department,  
 4 and for the state's contribution to the peace officers'  
 5 retirement, accident, and disability system provided in chapter  
 6 97A in the amount of the state's normal contribution rate, as  
 7 defined in section 97A.8, multiplied by the salaries for which  
 8 the funds are appropriated, and for not more than the following  
 9 full-time equivalent positions:

10 .....	\$	4,298,707
11 .....	FTEs	55.00

12     6. For the division of state patrol, for salaries, support,  
 13 maintenance, workers' compensation costs, and miscellaneous  
 14 purposes, including the state's contribution to the peace  
 15 officers' retirement, accident, and disability system provided  
 16 in chapter 97A in the amount of the state's normal contribution  
 17 rate, as defined in section 97A.8, multiplied by the salaries  
 18 for which the funds are appropriated, and for not more than the  
 19 following full-time equivalent positions:

20 .....	\$	51,903,233
21 .....	FTEs	513.00

22     It is the intent of the general assembly that members of the  
 23 state patrol be assigned to patrol the highways and roads in  
 24 lieu of assignments for inspecting school buses for the school  
 25 districts.

26     7. For deposit in the sick leave benefits fund established  
 27 under section 80.42 for all departmental employees eligible to  
 28 receive benefits for accrued sick leave under the collective  
 29 bargaining agreement:

30 .....	\$	279,517
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31     8. For costs associated with the training and equipment  
 32 needs of volunteer fire fighters:

33 .....	\$	725,520
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34     a. Notwithstanding section 8.33, moneys appropriated in  
 35 this subsection that remain unencumbered or unobligated at the

1 close of the fiscal year shall not revert but shall remain  
2 available for expenditure only for the purpose designated in  
3 this subsection until the close of the succeeding fiscal year.

4     b. Notwithstanding section 8.39, within the moneys  
5 appropriated in this section, the department of public safety  
6 may reallocate moneys as necessary to best fulfill the needs  
7 provided for in the appropriation. However, the department  
8 shall not reallocate an appropriation made to the department  
9 in this section unless notice of the reallocation is given  
10 to the legislative services agency and the department of  
11 management prior to the effective date of the reallocation.  
12 The notice shall include information regarding the rationale  
13 for reallocating the appropriation. The department shall  
14 not reallocate an appropriation made in this section for the  
15 purpose of eliminating any program.

16     Sec. 15. GAMING ENFORCEMENT.

17     1. There is appropriated from the gaming enforcement  
18 revolving fund created in section 80.43 to the department of  
19 public safety for the fiscal year beginning July 1, 2011, and  
20 ending June 30, 2012, the following amount, or so much thereof  
21 as is necessary, to be used for the purposes designated:

22     For any direct and indirect support costs for agents  
23 and officers of the division of criminal investigation's  
24 excursion gambling boat, gambling structure, and racetrack  
25 enclosure enforcement activities, including salaries, support,  
26 maintenance, miscellaneous purposes, and for not more than the  
27 following full-time equivalent positions:

28 .....	\$	9,836,306
29 .....	FTEs	120.00

30     2. For each additional license to conduct gambling games on  
31 an excursion gambling boat, gambling structure, or racetrack  
32 enclosure issued during the fiscal year beginning July 1, 2011,  
33 there is appropriated from the gaming enforcement fund to the  
34 department of public safety for the fiscal year beginning July  
35 1, 2011, an additional amount of not more than \$521,000 to be

1 used for not more than 6.00 additional full-time equivalent  
2 positions.

3     3. The department of public safety, with the approval  
4 of the department of management, may employ no more than two  
5 special agents and three gaming enforcement officers for each  
6 additional excursion gambling boat or gambling structure  
7 regulated on or after July 1, 2011, with a patron capacity of  
8 less than two thousand persons or no more than two special  
9 agents and four gaming enforcement officers for each additional  
10 excursion gambling boat or gambling structure regulated on or  
11 after July 1, 2011, with a patron capacity of at least two  
12 thousand persons. One additional gaming enforcement officer,  
13 up to a total of four per excursion gambling boat or gambling  
14 structure, may be employed for each excursion gambling boat or  
15 gambling structure that has extended operations to 24 hours and  
16 has not previously operated with a 24-hour schedule. Positions  
17 authorized in this subsection are in addition to the full-time  
18 equivalent positions otherwise authorized in subsection 1.

19     4. It is the intent of the general assembly that beginning  
20 July 1, 2011, there shall not be more than three gaming  
21 enforcement officers for each excursion gambling boat or  
22 gambling structure with a patron capacity of less than two  
23 thousand persons or more than four gaming enforcement officers  
24 for each excursion gambling boat or gambling structure with  
25 a patron capacity of at least two thousand persons. It is  
26 also the intent of the general assembly that this subsection  
27 shall not be construed to authorize the removal of a gaming  
28 enforcement officer from the gaming enforcement officer's  
29 current position.

30     Sec. 16. CIVIL RIGHTS COMMISSION. There is appropriated  
31 from the general fund of the state to the Iowa state civil  
32 rights commission for the fiscal year beginning July 1,  
33 2011, and ending June 30, 2012, the following amount, or so  
34 much thereof as is necessary, to be used for the purposes  
35 designated:

1 For salaries, support, maintenance, miscellaneous purposes,  
2 and for not more than the following full-time equivalent  
3 positions:

4 ..... \$ 1,397,069  
5 ..... FTEs 28.00

6 The Iowa state civil rights commission may enter into  
7 a contract with a nonprofit organization to provide legal  
8 assistance to resolve civil rights complaints.

9 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
10 DIVISION. There is appropriated from the wireless E911  
11 emergency communications fund created in section 34A.7A to the  
12 administrator of the homeland security and emergency management  
13 division of the department of public defense for the fiscal  
14 year beginning July 1, 2011, and ending June 30, 2012, an  
15 amount not exceeding \$200,000 to be used for implementation,  
16 support, and maintenance of the functions of the administrator  
17 and program manager under chapter 34A and to employ the auditor  
18 of the state to perform an annual audit of the wireless E911  
19 emergency communications fund.

20 Sec. 18. 2009 Iowa Acts, chapter 178, section 20, is amended  
21 to read as follows:

22 SEC. 20. CONSUMER EDUCATION AND LITIGATION  
23 FUND. Notwithstanding section 714.16C, for each fiscal  
24 year of the period beginning July 1, 2008, and ending June  
25 30, ~~2011~~ 2013, the annual appropriations in section 714.16C,  
26 are increased from \$1,125,000 to \$1,875,000, and \$75,000 to  
27 \$125,000 respectively. Moneys appropriated from the consumer  
28 education and litigation fund may be allocated for cash flow  
29 purposes to the victim compensation fund established in section  
30 915.94 during each of the fiscal years enumerated, provided  
31 that any moneys so allocated are returned to the consumer  
32 education and litigation fund by the end of each fiscal year an  
33 allocation occurs.

34 Sec. 19. IOWA COMMUNICATIONS NETWORK. It is the  
35 intent of the general assembly that the executive branch

1 agencies receiving an appropriation in this Act utilize  
2 the Iowa communications network or secure other electronic  
3 communications in lieu of traveling for the fiscal year  
4 addressed by the appropriations.

5 EXPLANATION

6 This bill relates to and makes appropriations to the justice  
7 system.

8 The bill makes appropriations from the general fund of the  
9 state for fiscal year 2011-2012 to the departments of justice,  
10 corrections, public defense, and public safety, and the Iowa  
11 law enforcement academy, office of the state public defender,  
12 board of parole, and Iowa state civil rights commission.

13 The bill appropriates moneys from the department of commerce  
14 revolving fund to the office of consumer advocate of the  
15 department of justice.

16 The bill also appropriates moneys from the gaming  
17 enforcement revolving fund to the department of public safety.  
18 The division also authorizes FTEs related to gaming enforcement  
19 in the fund.

20 The bill also provides that for each additional license to  
21 conduct gambling games on an excursion gambling boat, gambling  
22 structure, or racetrack enclosure issued during the fiscal  
23 period beginning on July 1, 2011, there is appropriated from  
24 the gaming enforcement fund to the department of public safety  
25 for the fiscal year beginning July 1, 2011, an additional  
26 amount of not more than \$521,000 to be used for not more than  
27 6.00 additional full-time equivalent positions.

28 The bill provides that it is the intent of the general  
29 assembly there not be more than three gaming enforcement  
30 officers for each excursion gambling boat or gambling structure  
31 with a patron capacity of less than 2,000 persons or more than  
32 four gaming enforcement officers for each excursion gambling  
33 boat or gambling structure with a patron capacity of at least  
34 2,000 persons. It is also the intent of the general assembly  
35 the bill not be construed to authorize the removal of a gaming

1 enforcement officer from the gaming enforcement officer's  
2 current position.

3     The bill amends 2009 Iowa Acts, chapter 178, to extend the  
4 fiscal period that increases the annual appropriations from  
5 the consumer education and litigation fund in Code section  
6 714.16C, to the department of justice. The bill extends the  
7 fiscal period authorizing such increases from the fiscal period  
8 beginning on July 1, 2008, and ending on June 30, 2011, to the  
9 fiscal period beginning on July 1, 2008, and ending June 30,  
10 2013. By extending the fiscal period that authorizes increased  
11 appropriations from the consumer education and litigation fund,  
12 the bill also extends the fiscal period that moneys may be  
13 allocated from the consumer education and litigation fund to  
14 the victim compensation fund for cash flow purposes, if the  
15 moneys so allocated are returned to the consumer and education  
16 litigation fund by the end of each fiscal year the allocation  
17 occurs.